



IFW 4-26-04

RCE/36-83

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL  Address to: MAIL STOP RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	10/058,188
	Filing Date	January 29, 2002
	First Named Inventor	COSTELLO
	Art Unit	3683
	Examiner	Devon C. Kramer
	Attorney Docket No.	BGEE 2 13201
This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.		

1. Submission required under 37 CFR 1.114

a. ☒ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief filed on

ii. ☒ Other.- **Amendment After Final Rejection filed on January 30, 2004**

b. ☒ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Other Response to Advisory Action

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of    months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other   

3. Fees (The RCE fee under 37 CFR 1.114(e) is required by 37 CFR 1.114 when the RCE is filed.)

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 06-0308.

i. ☐ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other   

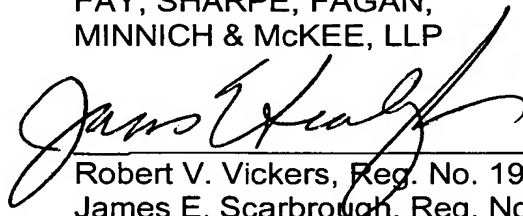
b. ☒ Check in the amount of \$770.00 (large entity) enclosed.

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01 FC:1801 770.00 OP

Respectfully submitted,

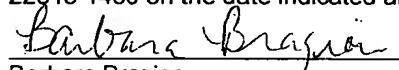
FAY, SHARPE, FAGAN,  
MINNICH & MCKEE, LLP

4/23/04  
Date

  
Robert V. Vickers, Reg. No. 19,504  
James E. Scarbrough, Reg. No. 47,056  
1100 Superior Avenue, Seventh Floor  
Cleveland, OH 44114-2518  
216/861-5582

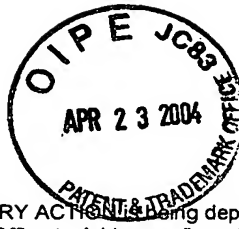
"Express Mail" Mailing Label Number: EL 964454114 US  
Date of Deposit: April 23, 2004

I hereby certify that this **RCE Transmittal** and accompanying documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: MAIL STOP RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated above.

  
Barbara Brazier

EXPRESS MAIL CERTIFICATE

"Express Mail" EL 964454114 US  
Date of Deposit: April 23, 2004



I hereby certify that this RESPONSE TO ADVISORY ACTION is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: MAIL STOP: RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

By Barbara Brazier  
Barbara Brazier

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF : COSTELLO  
FOR : TAILGATE STABILIZER  
SERIAL NO. : 10/058,188  
FILED : January 29, 2002  
EXAMINER : Devon C. Kramer  
ART UNIT : 3683  
DATE OF LAST OFFICE ACTION : October 31, 2003  
CONFIRMATION NO. : 3935  
ATTORNEY DOCKET NO. : BGEE 2 13201

**RESPONSE TO ADVISORY ACTION**

MAIL STOP RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Advisory Action of February 19, 2004, please amend the above-identified application as follows:

**The claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 9 of this paper.